

## **DRAINAGE BOARD MEETING**

**Oct. 17, 2011 – 11:00 A.M.**

### **Newton Co. Government Center**

The Newton County Drainage Board met on October 17, 2011 at 11:00 A.M. in the Newton County Government Center with the following persons present: Board Members Russell Collins, James Pistello and Tim Drenth; County Engineer Larry Holderly; Drainage Board Attorney Dan Blaney; Jacob Taulman; LeAnn Sale; Surveyor Chris Knochel; Secretary Debra Honn. The meeting was opened by Russ.

**Minutes – September 19, 2011** – Signed

**Minutes – October 3, 2011** – Tim made a motion to approve the minutes with a second motion from Jim. Motion carried.

**Site Specific Emergency Contracts** – Contracts were signed for Ronnie Madison Excavating & JD Excavating to handle the emergency work.

**Bids Received – Strole Ditch M-604** - The following bids were received for the Strole Ditch: Elwyn Mattocks \$5,500; Ronnie Madison \$3,340; JD Excavating - \$2,980; Tony Garriott - \$11,644. Chris' estimate was \$12,824.80. **Tim made a motion to accept the bid from JD Excavating as long as it meets Chris' specifications. Jim made a second motion. Motion carried.**

**East Kent Ditch** – There were two bids received for this ditch: JD Excavating - \$64,980; Tony Garriott - \$43,355. Chris' estimate was \$35,840. Since neither bid was within 10% of Chris' neither bid was accepted. Chris was asked to review his estimate and put the job out for rebid. **Goodland Lateral Seeding -**

KDA \$9,200; Kuiper Tree & Yard Service \$12,470. **Jim made a motion to accept the KDA bid as long as it meets Chris' specs. Tim seconded the motion. Motion carried.** **Oakwood Acres Seeding -** Kuipers Tree & Yard Service \$3,840; KDA \$5,200; **Tim made a motion to accept the Kuiper bid as long as it meets Chris' specifications with a second from Jim. Motion carried.** **Moran Tile Leveling & Seeding -** Kuiper \$450; KDA \$1,200. **Jim made a motion to accept the Kuiper bid as long as it meets Chris' specs with a second from Tim. Motion carried.** Shawn Kuiper of Kuipers Tree & Yard Service asked if he had missed something on the Goodland Lateral or why such a difference on the bids. After review Chris said that KDA's bid did not meet specs. **Jim therefore made a motion to reject the KDA bid and accept the Kuiper bid as long as it meets Chris' specs. Tim made a second motion. Motion carried.**

**Denham Subdivision Lateral Obstruction – Coleman Property** – Chris stated he was trying to get estimates on moving the Coleman trailer. Dan stated Joe Morrison, attorney for Coleman, wanted to know if there has to be a 75' easement on each side of the ditch. If the trailer is moved the plan is to open the ditch. The discussion continued on the easement and the possibility of leaving it at 75' on the west side and decreasing the easement on the east side. Chris is to locate the septic and find out how deep we have to go on the ditch in order to figure setback.

**Secondary Levee @ 1200N** – This is the result of the Bi-County DeHaan Ditch project. Chris stated there is no place to store or stage material and it would need to be hauled immediately. There was some talk at one time about creating a secondary levee at north side of 1200 N west of Thayer on the KRBC farm. KRBC has already made a decision to allow that to be done. We need to decide if that is something we want to do. We would need to move the material – do we want to do that or is NCHD going to move it. Tim stated that since it is on the Van Keppel property the landowner said he would be happy to store the material. It was decided that Tim and Chris would meet with Mr. Van Keppel.

**Drake – Stack** – Chris presented the board with an estimate in the amount of \$5,500 from Steve Goffinett to install spill way, hauling rip rap, etc. on the Drake-Stack. Chris stated if the project is \$5,000-\$10,000 then he usually just asks for estimates and then the board either approves or disapproves them. Tim made a motion to accept the estimate as long as it meets Chris' specs. Jim asked if Chris had gotten any other estimates to which Chris said he had not. Jim stated he had a problem with the legality of only calling one contractor for estimates and said he thinks we should contact at least 2 if not 3 contractors for the jobs. Tim withdrew his motion and the board asked Chris to get another 1 or 2 estimates for this project.

**Beaver Creek Hearing** – Deb reported that the hearing for Beaver Creek needs to be postponed until 11/21/11 due to a delay in Draincalc. She also discussed the **Davis-Watts** and **Conklin Ditches** suggesting that the hearings for these two be held at the same time as Beaver Creek. The **Davis-Watts** currently owes GDIF \$2,005. Based upon acreage, amount due GDIF and estimated annual maintenance of \$19,899.04, Deb **recommended an assessment rate of \$2.21/ac. for a period of 4 years.** The **Conklin Ditch** owes GDIF \$1,305. Based upon acreage, amount due

GDIF and estimated annual maintenance of \$12,360.16, Deb **recommended an assessment rate of \$2.21/ac. for a period of 4 years. Jim made a motion to hold all three hearings on November 21<sup>st</sup> at 1:00 PM and to allow 3-4 hrs. with a second from Tim.**

**Legal Fees** – Deb addressed the issue of legal fees and reviewed the breakdown of such as received from Dan Blaney. A bill was received today for legal fees in the amount of approximately \$2,400. She reminded the board that we had previously discussed assessing these fees to the individual drains. Dan recommended that the fees be assigned to each drain. Jim made a motion to assess each drain for attorney fees or other legal expenses within the county. Tim seconded the motion. Motion carried.

**DeHaan-DeFries** - Chris reported this is part of the DeHaan Ditch and that both DeHaan & DeFries outlet at the same place into the Kankakee River(CORRECTION – DeHaan & Rich-Hibler empty at same place). Jasper County has the Rich-Hibler as part of the DeHaan Ditch. Chris suggested that the watershed be split as any work that is done on one of the ditches will not benefit the other. The Rich-Hibler is almost exclusively in Newton Co and approximately 90% of the DeHaan is in Jasper County. **Jim made a motion to split DeHaan & DeFries Ditches.** Deb mentioned that the joint drains had a combined amount owed to GDIF in the amount of \$32,645. How will this money be recouped? Most of the money spent was on the DeHaan therefore it was decided that most of the debt would be repaid by DeHaan assessments. Tim seconded the motion. Motion carried. The ditches will be split and the decision presented to the Bi-County Drainage Board.

**Sumava** – Dan reported that he had talked to Jody Melton & Sarah Wright regarding Sumava however they have not gotten back to him yet.

**Watersheds & Beacon** – Deb reported to the board that since the new Beacon program has been installed the watersheds are manually drawn based upon elevation and ridge lines and acreage does not exactly match what has previously been assessed. **Jim made a motion to accept Beacon acreage as long as it does not differ from the old acreage by more than 3%. If over 3% the Beacon watershed must be approved by the drainage board. Tim made a second motion. Motion carried.**

Meeting adjourned.